

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

FILED

OCT 13 2005

**GRANT PRICE
CLERK, U.S. BANKRUPTCY COURT
WESTERN DISTRICT OF OKLAHOMA
BY: _____ DEPUTY**

**GENERAL ORDER CONCERNING DISMISSAL OF
CHAPTER 13 CASES PURSUANT TO 11 U.S.C. §521(i)**

The provisions contained in this Order shall be applicable to all Chapter 13 cases filed on or after October 17, 2005.

Any dismissal pursuant to 11 U.S.C. §521(i) shall not be effective until the Court has entered an order of dismissal. Upon application, accompanied by an affidavit setting forth the deficiencies forming the basis for dismissal under §521(i), the Court will, within 5 days, enter an order declaring the case has been dismissed by operation of law, unless the Court finds such application without merit. Such application should not be filed if there is a previously filed motion by debtor(s) to extend the time to file the required information, or motion by the Chapter 13 Trustee to decline dismissal, upon which the Court has not ruled. Any order dismissing the case must be promptly served by the applicant upon debtor(s), their counsel, the Trustee, and all other interested parties.

The debtor(s) may file a motion to extend the time within which to file the information required under 11 U.S.C. §521(a)(1). Such motion must be filed within 45 days of the filing of the petition, and may request an extension of up to 45 days. A motion to extend filed pursuant to §521(i) must include a notice of hearing, a statement as to the time for response, and a further statement that if no response is filed, the relief sought may be granted by the Court with the hearing stricken. The matter must be set by the debtor(s) on the first available docket following the expiration of the time for response.

The Trustee may file a motion requesting the Court decline to dismiss despite the failure of the debtor(s) to file the information required under §521(a)(1)(B)(iv) if the Trustee believes the

debtor(s) attempted in good faith to file the information required under §521(a)(1)(B)(iv) and that the best interest of creditors would be served by administration of the case. Such motion must be filed prior to the expiration of the time, including any extension, within which the debtor(s) may timely file the required information. A motion to decline dismissal filed pursuant to §521(i) must include a notice of hearing and a statement as to the time for response and a further statement that if no response is filed, the relief sought may be granted by the Court with the hearing stricken. The matter must be set by the Trustee on the first available docket following the expiration of the time for response.

Dated this 13 day of October, 2005.



JUDGE NILES JACKSON
UNITED STATES BANKRUPTCY JUDGE